

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

NICOLE A. CALDWELL, as personal
representative of the ESTATE OF DYLAN
A. FURFORD,

Plaintiff,

v.

PACIFIC DYNASTY, INC., a Washington
for-profit corporation,

Defendant.

NO.

**COMPLAINT FOR DAMAGES
FOR WRONGFUL DEATH**

COMES NOW, plaintiff, Nicole A. Caldwell, as personal representative of the Estate of Dylan A. Furford, and for cause of action against defendant Pacific Dynasty, Inc., alleges as follows:

1. JURISDICTION. This is an action by the personal representative of the estate of a seaman for wrongful death against decedent's employer and the owner and operator of a vessel operating in navigable waters of the United States. Jurisdiction exists under 28 U.S.C. § 1331, the Jones Act, 46 U.S.C. § 30104, and the general maritime law.

2. VENUE. At all times material, defendant Pacific Dynasty, Inc. was a Washington for-profit corporation doing business in Westport, Washington within the Southern

1 Division of the Western District of Washington and was the owner and operator of the F/V
2 PACIFIC DYNASTY and employed Dylan A. Furford as a member of the crew.

3 3. PARTIES.

4 a. At all times material, plaintiff Nicole A. Caldwell was and is the duly
5 appointed personal representative of the Estate of Dylan A. Furford, the natural mother of Dylan
6 A. Furford, and a resident of Copalis Crossing, Grays Harbor County, Washington within the
7 Southern Division of the Western District of Washington.

8 b. At all times material, defendant Pacific Dynasty, Inc. was a Washington for-
9 profit corporation based in Westport, Grays Harbor County, Washington within the Southern
10 Division of the Western District of Washington and the owner and operator of the F/V PACIFIC
11 DYNASTY and employed Dylan A. Furford as a member of the crew.

12 4. LIABILITY. On or about, July 2, 2020, decedent Dylan A. Furford was
13 employed by defendant Pacific Dynasty, Inc. as a member of the crew onboard the F/V PACIFIC
14 DYNASTY, which was operating in navigable waters of the United States off the shores of
15 Tugidak Island, Alaska. At that time and place, defendant was negligent and the vessel was
16 unseaworthy in that defendant failed to properly supervise the crew, failed to provide safe ingress
17 and egress from Tugidak Island to the vessel, failed to implement safe procedures for travel to and
18 from shore, failed to provide decedent with a safe place to work, failed to properly train the crew,
19 failed to properly and safely operate the skiff from shore to the vessel, failed to maintain
20 communication with the crew, failed to provide a skiff that was reasonably fit for travel through
21 white water sea conditions, and failed to instruct the crew on safety measures. For these reasons,
22 and additional reasons likely to be discovered through the discovery process in this lawsuit,
23 defendant was negligent and the vessel was unseaworthy. As a direct and proximate result of
24 defendant's negligence and the unseaworthiness of the vessel, decedent Dylan A. Furford drowned
in the waters off Tugidak Island, Alaska on or about July 2, 2020.

1 5. JURY DEMAND. Plaintiff respectfully asks for a jury trial pursuant to Fed.
2 R. Civ. P. 38.

3 6. DAMAGES. As a direct and proximate result of defendant's negligence
4 and the unseaworthiness of the vessel, decedent Dylan A. Furford died at the age of 22, leaving
5 his surviving natural parents Nicole A. Caldwell and Russell D. Furford. As personal
6 representative of the Estate of Dylan A. Furford, plaintiff Nicole A. Caldwell is entitled to recovery
7 of damages for the Estate for decedent's pre-death pain and suffering and other damages allowed
8 under the Jones Act, 46 U.S.C. § 30104, and general maritime law.

9 WHEREFORE, plaintiff prays for damages to be awarded against defendant in an
10 amount to be determined by the presentation of evidence at the time of trial, together with
11 prejudgment interest on the award, and her taxable costs.

12 DATED this 2nd day of September, 2021.

13 By:

14 s/Richard J.Davies

15 s/Marissa A. Olsson

16 Richard J. Davies, WSBA No. 25365

17 Marissa A. Olsson, WSBA No. 43488

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